

**Introduced by Senator Lara**February 27, 2015

---

An act to amend Section 40001 of the Health and Safety Code, relating to nonvehicular air pollution.

## LEGISLATIVE COUNSEL'S DIGEST

SB 673, as introduced, Lara. Air districts: rules and regulations.

Existing law requires air pollution control and air quality management districts to adopt and enforce rules and regulations to achieve and maintain the state and federal ambient air quality standards in all areas affected by emissions sources under their jurisdiction and requires those districts to enforce all applicable provisions of state and federal law.

This bill would make technical, nonsubstantive changes to this provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 40001 of the Health and Safety Code is  
2     amended to read:  
3     40001. (a) Subject to the powers and duties of the state board,  
4     the districts shall adopt and enforce rules and regulations to achieve  
5     and maintain the state and federal ambient air quality standards in  
6     all areas affected by emission sources under their jurisdiction, and  
7     shall enforce all applicable provisions of state and federal law.  
8     (b) The district rules and regulations may, and at the request  
9     of the state board shall, provide for the prevention and abatement  
10    of air pollution episodes ~~which~~ *that*, at intervals, cause discomfort

1 or health risks to, or damage to the property of, a significant  
2 number of persons or class of persons.

3 (c) Prior to adopting ~~any~~ a rule or regulation to reduce criteria  
4 pollutants, a district shall determine that there is a problem that  
5 the proposed rule or regulation will alleviate and that the rule or  
6 regulation will promote the attainment or maintenance of state or  
7 federal ambient air quality standards.

8 (d) (1) The district rules and regulations shall include a process  
9 to approve alternative methods of complying with emission control  
10 requirements that provide equivalent emission reductions,  
11 emissions monitoring, or recordkeeping.

12 (2) A district shall allow the implementation of alternative  
13 methods of emission reduction, emissions monitoring, or  
14 recordkeeping if a facility demonstrates to the satisfaction of the  
15 district that those alternative methods will provide equivalent  
16 performance. ~~Any~~ An alternative method of emission reduction,  
17 emissions monitoring, or recordkeeping proposed by the facility  
18 shall not violate other provisions of law.

19 (3) If a district rule specifies an emission limit for a facility or  
20 system, the district shall not set operational or effectiveness  
21 requirements for any specific emission control equipment operating  
22 on a facility or system under that limit. ~~Any~~ An alternative method  
23 of emission reduction, emissions monitoring, or recordkeeping  
24 proposed by the facility shall include the necessary operational  
25 and effectiveness measurement elements that can be included as  
26 permit conditions by the district to ensure compliance with, and  
27 enforcement of, the equivalent performance requirements of  
28 paragraphs (1) and (2). Nothing in this subdivision limits the  
29 district's authority to inspect a facility's equipment or records to  
30 ensure operational compliance. This paragraph shall apply to  
31 existing rules and facilities operating under those rules.